

# State of South Dakota

## EIGHTY-NINTH SESSION LEGISLATIVE ASSEMBLY, 2014

852V0438

### HOUSE BILL NO. 1115

Introduced by: Representatives Munsterman, Hawley, Hunhoff (Bernie), Magstadt, Novstrup (David), and Solum and Senators Tidemann, Frerichs, Holien, Jones (Chuck), and Kirkeby

1 FOR AN ACT ENTITLED, An Act to revise the purposes for which the workforce education  
2 fund shall be used.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-13-88 be amended to read as follows:

5 13-13-88. There is hereby created in the state treasury the workforce education fund to be  
6 used for the following purposes:

7 (1) To fund the limited English proficiency adjustment as referenced in § 13-13-89;

8 (2) To fund the matching grant for the United States Occupational Safety and Health  
9 Administration (OSHA) consultation program at South Dakota State University as  
10 referenced in § 13-13-89;

11 (3) Provide grants for the purposes of providing secondary career and technical education  
12 programs; and

13 ~~(3)~~(4) Provide additional one-time funding to school districts.

14 Interest earned on money in the fund shall be deposited into the fund. Any money in the



workforce education fund is continuously appropriated to the Department of Education for the purposes stated in this section and § 13-13-89. Any money deposited into and distributed from the fund shall be set forth in an informational budget as described in § 4-7-7.2.

Section 2. That § 13-13-89 be amended to read as follows:

13-13-89. The secretary of the Department of Education shall authorize and disburse money from the workforce education fund to fund the state's share of the limited English proficiency adjustment as calculated by §§ 13-13-10.1 and 13-13-73 for state fiscal years 2014, 2015, and 2016. The secretary of the Department of Education shall authorize and disburse money from the workforce education fund to fund the state's share of the United States Occupational Safety and Health Administration (OSHA) consultation program for state fiscal year 2015 and each year thereafter. If, after the state's share of the limited English proficiency adjustment and the state's match for the OSHA consultation program is funded, the workforce education fund exceeds two million dollars as of July first of each year, the amount of money in excess of one million dollars shall be disbursed as follows:

(1) An amount not to exceed one million five hundred thousand dollars shall be distributed to fund new and existing secondary career and technical education programs; and

(2) Any amount remaining in the fund over one million dollars after the distribution in subdivision (1) is made shall be allocated to each school district in an amount equal to the money available for such distribution times the ratio of each school district's fall enrollment to the total state fall enrollment as defined in § 13-13-10.1.